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MEMO ENCLOSED

May 14, 2008 .

Charles L. Bricant, U.S.D.J.
United States District Court
Southern District of New York
300 Quarropas Street, Room 275
White Plains, NY 10601

VIA FIRST CLASS MAIL and TELEFAX (914) 390-4085

This case is now Dismissed with leave to re-open within sixty (60) days to enforce the terms of the settlement agreement so ordered

Re.: Eugeniusz Potoczny v. Zeke Prorokovic, Inc. et al.

Index No.: 07 - 3541 (CLB) (GAY)

Charles Bricant
5/15/08 *USDJ*

Dear Judge Bricant,

I represent the Plaintiff in the above-captioned matter. Pursuant to the Order of Judgment offered by Defendants under Fed. R. Civ. P. Rule 68 on December 3, 2007 and accepted by Plaintiff on December 10, 2007, Plaintiff signed a Stipulation for Dismissal to be held in escrow until Defendants' check for \$25, 502.00 (Twenty-Five Thousand Five Hundred and Two Dollars) clears.

In light of the agreement between Plaintiff and Defendants, both parties file a joint request that the May 16, 2008 Case Management Conference be adjourned sine die or alternatively to dismiss this case with a sixty (60) day proviso to reopen it if Defendants' check does not clear.

Thank you for your attention to the foregoing.

Sincerely,

Robert Wisniewski
Robert Wisniewski

cc: Thomas J. Troetti, Esq.
Counsel for Defendants